



COUNTY OF EL PASO
OFFICE OF THE COUNTY AUDITOR

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09-21

September 29, 2021

The Honorable Ruben Lujan
Justice of the Peace, Precinct Number 6 Place 1
190 N. San Elizario Rd.
Clint, Texas 79836

Dear Judge Lujan:

The County Auditor's Internal Audit division performed an audit of the Justice of the Peace, Precinct Number 6 Place 1 (JP6-1) to determine if internal controls are adequate to ensure proper preparation of JP6-1 financial reports. Policies, procedures, and regulations were also reviewed to ensure processes are documented, operating and efficient.

The audit report is attached. We tested three operational and five financial controls with a total of 98 samples. There was one finding noted as a result of the audit procedures. We wish to thank the management and staff of JP6-1 for their assistance and courtesies extended during this audit.

Because of certain statutory duties required of the County Auditor, this office is not independent in regard to your office, as defined by AICPA professional standards. However, our audit was performed with objectivity and due professional care.

Respectfully,

A handwritten signature in black ink that reads "Edward A. Dion".

Edward A. Dion
County Auditor

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cc: Ms. Betsy Keller, Chief Administrator



**Justice of the Peace, Precinct Number 6 Place 1
April 2020 to June 2021**



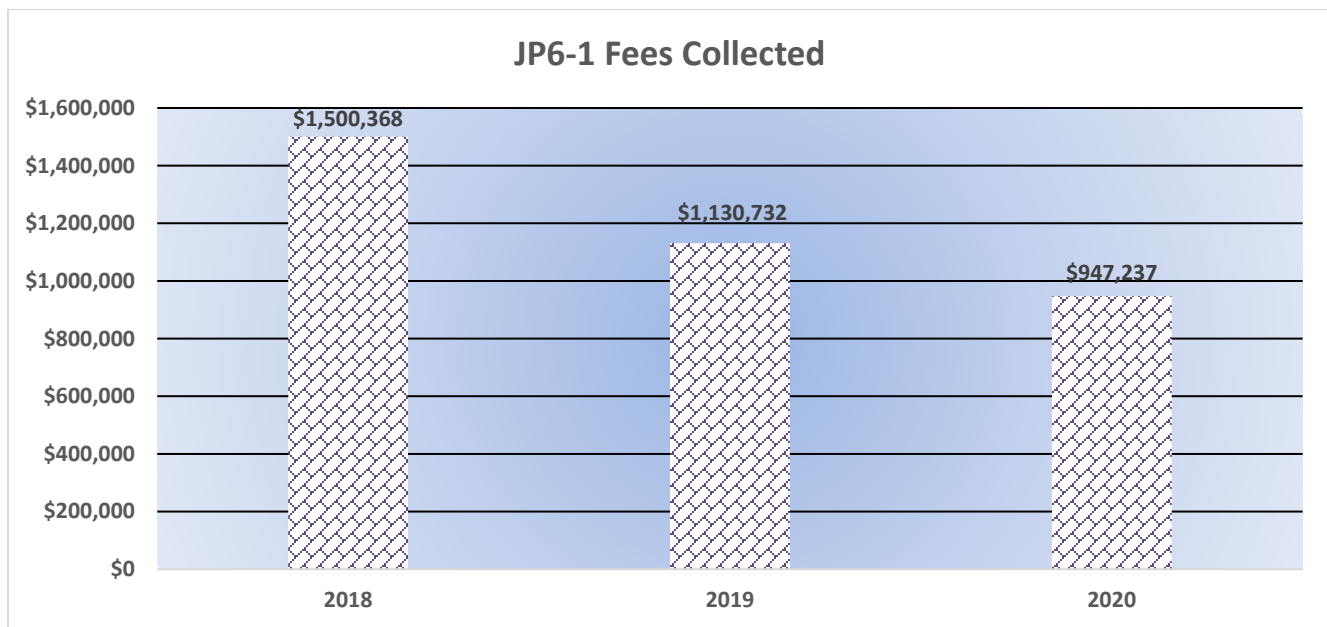
EXECUTIVE SUMMARY

BACKGROUND

Justices of the Peace are elected officials and serve four-year terms. Precinct 6 Place 1 (JP6-1) has judicial power over criminal cases involving minor offenses under their jurisdiction and civil matters where the amount in controversy does not exceed \$20,000. Other duties include issuing search and arrest warrants and the performance of marriage services. The current Justice of the Peace for JP6-1 has been in office since January 1, 2001. This audit was performed by Phillip Trevizo, internal auditor. The most recent prior audit report was issued on June 4, 2020.

FINANCIAL REPORTING

Financial reports are generated from the Odyssey Courts and Justice System (Odyssey) showing all transactions occurring each month. The following chart is a comparison of fees collected at JP6-1 for the past three fiscal years. The decrease in collections for 2020 was due to COVID-19 closures and restrictions enforced by the County wide mandatory stay at home order issued in March 2020.



Source: El Paso County Funds and Fees of Office Reports

OBJECTIVES

The audit evaluated the adequacy of controls and processes to achieve key business objectives related to JP6-1 financial reports. Following are the business objectives and related controls assessments.

Business Objective	Control Assessment
1. Documented policies and procedures	Satisfactory
2. Timely processing and resolution of cash bonds	Needs Improvement
3. Completeness and timely posting of manual receipts issued	Satisfactory
4. Judge's compliance with educational requirements	Satisfactory
5. Proper voided and reversed Odyssey entries	Satisfactory
6. Completeness of the payment mail log and timely posting to Odyssey	Satisfactory
7. Proper dismissal of cases	Satisfactory
8. Timely posting of Bond and Inmate Trust Section (BITS) Payments	Satisfactory

SCOPE

The scope of the audit is from April 2020 to June 2021. The scope of the audit was limited as a cash count was not performed due to the County's COVID-19 work safe stay home order.



**Justice of the Peace, Precinct Number 6 Place 1
April 2020 to June 2021**



EXECUTIVE SUMMARY

METHODOLOGY

To achieve the audit objectives we:

- Reviewed policies and procedures to ensure they are documented and efficient.
- Reviewed a sample of cash bonds posted to verify bonds were addressed in a timely manner.
- Reviewed manual receipts for appropriate documentation and timely posting.
- Reviewed Judges Texas Justice Court Training Center transcripts to ensure compliance with Government Code §27.005.
- Reviewed a sample of void and reversal Odyssey entries to verify legitimacy of transactions.
- Tested a sample of mail log entries to determine completeness, accuracy, and timeliness (compliance with Local Government Code § 113.022)
- Reviewed a sample of dismissed cases for proper case dismissal.
- Reviewed cases with BITS payments for timely posting.

RESULTS

Listed below are control and finding summaries, with findings listed from highest to lowest risk. Please see the *Findings and Action Plans* section of this report for related details and management action plans.

Control Summary	
Good Controls	Weak Controls
<ul style="list-style-type: none"> • Documented policies and procedures (Obj. 1) • Manual receipt procedures (Obj. 3) • Judge’s compliance with education requirements (Obj. 4) • Void and reversed transactions (Obj. 5) • Mail log controls (Obj. 6) • Proper dismissal of cases (Obj. 7) • Posting of collections by Sheriff’s Office (Obj. 8) 	<ul style="list-style-type: none"> • Review of pending cash bonds (Obj. 2)
Findings Summary	
<ol style="list-style-type: none"> 1. Six pending cash bonds need further court action. 	

INHERENT LIMITATIONS

This financial review was designed to provide reasonable assurance that the internal control structure is adequate to safeguard the County’s assets from loss, theft, or misuse. The County’s internal control structure is designed to provide reasonable, but not absolute assurance that these objectives are met. The concept of reasonable assurance recognizes that: (1) the cost of implementing the controls should not exceed the benefits likely to be derived; and (2) the valuation of costs and benefits requires the use of estimates and judgment by management. Because of the inherent limitations in any system of internal controls, errors or irregularities may occur and not be detected.

CONCLUSION

JP6-1 met seven of the eight business objectives of this audit. Implementation of recommendations provided in this report should assist JP6-1 in strengthening their internal controls of pending cash bonds.



**Justice of the Peace, Precinct Number 6 Place 1
April 2020 to June 2021**



Findings and Action Plans

Current Audit Findings & Action Plans

Finding #1		Risk Level
<p>Review of Cash Bond Cases – Of 18 cash bonds sampled, 6 were not addressed timely. A sample of outstanding cash bonds in the bond schedule was reviewed to ensure bonds are addressed in a timely manner. Of the 18 cash bonds reviewed, the following was noted:</p> <ul style="list-style-type: none"> • Four cases (22%), need further court action for bond forfeitures after Judgment Nisi bond forfeiture case disposition. Three cases were from September 2019 and one from February 2020. • Two cases (11%), disposed by appeal courts need further follow up from the JP court. One case was from June 2018 and one from November 2019. <p>Untimely processing of cash bonds can lead to court inefficiencies and prolonging defendant’s cases.</p>		M
Recommendation		
<p>We recommend court personnel take action on the cases identified during the audit review. Court personnel should also review the County Auditor’s Quarterly Cash Bond Schedule that is sent each quarter to ensure timeliness of hearings and forfeitures/refunds of cash bonds. Review of the schedule should be documented with the date, initials, and any applicable notes.</p>		
Action Plan		
Person Responsible	Court Coordinator	Estimated Completion Date
		09/28/2021
<p>The cases identified during the audit have been addressed by the court. The County Auditor’s Quarterly Cash Bond Schedule will be reviewed to identify cases that need further court action.</p>		